



Atty. Dkt. No. 037768-0114

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Tapesht YADAV
Title: ZINC COMPRISING NANOPARTICLES
AND RELATED NANOTECHNOLOGY
Appl. No.: 10/780,671
Filing Date: 02/19/2004
Examiner: Kallambella M. Vijayakumar
Art Unit: 1751
Confirmation Number: 1995

RESPONSE TO RESTRICTION REQUIREMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This paper is responsive to the Office Action mailed October 11, 2006, which set forth a restriction requirement. Applicants enclose a Petition for Extension of Time to make this response timely.

The Office Action imposes a restriction requirement under 35 U.S.C. § 121 between the following groups of claims:

Group I: Claims 1-5, drawn to "a nanomaterial composition;"
Group II: Claim 6, drawn to a coating composition;
Group III: Claim 7, drawn to a transparent conductive layer, classified in class 428, subclass 142;

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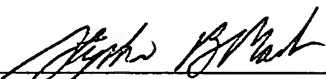
Group IV: Claim 8, drawn to an electrode, classified in class 429, subclass 33;
Group V: Claims 9-10 and 20, drawn to a product/device, classified in class 257,
subclass 70; and
Group VI: Claims 11-19, drawn to a method of preparing composition of matter.

Applicants provisionally elect Group I, claims 1-5, for examination in the instant application, with traverse.

The instant restriction requirement is not proper because examination of at least Groups I and VI does not constitute a "serious burden." As stated in the MPEP, "[i]f the search and examination of all the claims in an application can be made without serious burden, the examiner must examine them on the merits, even though they include claims to independent or distinct inventions." MPEP § 803 (emphasis added). Here, search and examination of all claims would not constitute a "serious burden," because the groups of claims, while potentially patentably distinct, are nevertheless similar. For at least these reasons, Applicants respectfully request withdrawal of this restriction requirement.

Respectfully submitted,

Date Nov. 27, 2006

By 

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